Migration and Border Security: The Military's Role

Professor Bernard F. Griffard and Professor Bert B. Tussing

With the world's population in constant motion, migration is an everyday reality. Much of this movement is voluntary, such as the surges at the end of World War II and following the collapse of the Soviet Union in 1991. Major natural disasters or fluctuations in the world's economies also greatly influence human movement. In most circumstances, migration is initiated in search of a better life, perceived or real. This type of movement was recognized as a basic human right in the 1948 Universal Declaration of Human Rights.[1]

THE BORDER MANAGEMENT CHALLENGE

According to the United Nations International Migration Report, 2002, between 1970 and 2002 the global number of migrants more than doubled, and continues to increase. This increased migration flow offers both opportunities and complications for governments.[2] It is no surprise that most migration is from the developing to the developed world. So called "brain drains" benefit the receiving countries, but uncontrolled influxes of labor can stress existing social support infrastructure and increase nationalistic tensions. Managing this movement of people requires an integrated effort at the international, regional, and national levels. The absence of integrated border management (IBM) protocols opens the door to trafficking in human beings, transnational narco-crime, smuggling, and terrorism; all of which pose direct threats to government stability.[3] Establishing effective IBM is both resource intensive and politically sensitive. It is sensitive because governments tend to react as if they are dealing with things and statistics rather than people. Misdirected efforts cause backlash at both the national and international levels. It is resource intensive because most borders are porous.[4]

At this point it is important to emphasize that sovereign states have both the authority and the responsibility to control the movement of goods and people across their borders and through their territory. Universal declarations aside, rules of citizenship and residency are not dictates from without, but requirements set from within by the legitimate

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1. United Nations, "Universal Declaration of Human Rights," General Assembly of the United Nations, December 10, 1948. http://www. udhr.org/UDHR/udhr.HTM.
2. United Nations Department of Economic and Social Affairs, Population Division "International Migration Report 2002" (United Nations, New York, 2002) p.1
3. Integrated Border Management (IBM) is the organization and supervision of border agency activities to meet the common challenge of facilitating the movement of legitimate people and goods while maintaining secure borders and meeting national legal requirements. (UN)
4. The United States has only 720 official Ports of Entry (PoE) (420 aerial ports/300 land & sea ports) to cover 100,000 miles of coastline and intercoastal waterways, a 2000 mile land border with Mexico and a 4000 mile land border with Canada. Preventing unauthorized movement between established ports of entry is human resource intensive. The U.S. CBP has 19,700 agents and modern equipment to man PoEs and to patrol the rest of the borders. For most developing and post-conflict states this is a resource requirement beyond their reach.

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government. However, since all borders have two sides, and IBM cannot be effectively implemented unless both sides are cooperating, some regional (perhaps even international) rationalization of border control processes is desirable.

The greatest challenge to border rationalization is the cartographic legacies of past imperial and colonial powers. It has to be recognized that many border issues have been created by decisions on boundaries of countries which were made with little, if any, regard for tribal or ethnic population distributions. The resulting disassociation between a people and "their" nation has resulted in a pronounced failure to acknowledge their nation's borders. A contemporary illustration of this situation is the Pashtuns along the Afghanistan/Pakistan border.

MIGRATION POLICY INSTITUTE ROUNDTABLE

As the principal recipients of migration, North America and European governments have a vested interest in assisting developing countries to effectively screen travelers at and beyond ports of entry. To look at this issue in detail, the Migration Policy Institute (MPI) sponsored a one day roundtable to discuss *Assisting Developing Countries in Securing Human Mobility*. On September 30, 2009 representatives from Australia, Canada, France, Germany, the Netherlands, the United Kingdom, the United States, and various international organizations met at the MPI offices in Washington, DC. Discussions focused on three areas: (1) detecting lost and stolen travel documents; (2) preventing unauthorized movement between ports of entry; and (3) improving security at ports of entry and consulates. Professor Bernard F. Griffard, Professor Bert B. Tussing, and Mr. Brent C. Bankus, representatives from the U.S. Army War College (USAWC) Center for Strategic Leadership (CSL), were invited to address the specific issue of how militaries are involved in these assistance efforts.

THE MILITARY'S ROLE

Without question the military brings special skills and equipment to the border security mission, but only in support of the on-going effort, not as the primary border security response. In framing the question around that support, the USAWC team provided three illustrations for the forum: support to the Department of Homeland Security (DHS) within the U.S.; support to the Afghan Border Police and Iraqi Border Patrol in their respective conflict zones; and geographic combatant commander (COCOM) assistance within their areas of responsibility.

U.S. Borders

In the United States, law enforcement and diplomatic instruments lead the migration and border security effort. The DHS's U.S. Customs and Border Protection (CBP) is the principal federal law enforcement agency charged with enforcing agriculture, trade, drug and immigration regulations. They operate in all three border environments – land, sea, and air – within North America and internationally with cooperating governments. This effort is complemented by the U.S. Department of State's (DoS) "Border Security Program." Through proactive efforts in its embassies and consulates, DoS has improved information sharing, connectivity, and training to identify and prevent foreigners bent on doing harm from acquiring travel documents allowing them legal entry to the United States.[5]

The military's mission to defend U.S. borders from aggressors is principally accomplished through terrorist deterrence, detection, and interdiction before they reach the United States. However, events since 9/11 have led to the deployment of military forces to temporarily supplement and complement the CBP. Such was the case immediately following 9/11, when 1600 National Guard troops were federalized for duty on our northern and southern borders. Again, in 2004 following the intelligence community's assessment of a heightened threat along the northern border between Vermont, New Hampshire and New York, active duty and reserve component forces were deployed along those borders in the execution of Operation Winter Freeze. That augmentation took place between the federal election day and the presidential inauguration (November 4, 2004 and January 20, 2005).

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5.   Daniel B. Smith, "The Department of State's Border Security Program–Investing in America's Security," Testimony before the House of Representatives Subcommittee on Immigration and Claims Judiciary Committee, February 25, 2004. http://travel.state.gov/law/legal/testimony/_788.html (Accessed September 16, 2009).

The greatest recent example of this type of support extended from May 15, 2006 to July 15, 2008, when President George W. Bush mobilized and deployed National Guard soldiers to the U.S. southwest border to augment the CBP in slowing the flow of illegal migration which in many cases was offering cover to narco-trafficking and terrorist activities.[6] This augmentation, designated Operation Jumpstart, continued for over two years, supplementing CBP logistics and transportation requirements, sensor and detector operations, and even limited training initiatives. At its height, Operation Jumpstart saw the deployment of 6000 National Guard forces from around the nation. Throughout the operation, the "deployed forces" were completely excluded from all traditional law enforcement functions – arrest, apprehension, interrogation and detention.

Today, at the interagency level, the Department of Defense (DoD) is involved with southwest border planning efforts as part of the operational planning team activated by DHS in June 2008. Should there be an escalation in violence or other significant threats along the southwest border, any DoD support provided falls under the category of Defense Support of Civil Authorities, where DoD is in a supporting role. In order to access DoD capabilities CBP, would use the existing Federal request for assistance process, delineated in the National Response Framework. Such support would only be requested if mission requirements exceeded either the capacity or capabilities of DHS components primarily charged with the mission.[7] Outside the U.S. DoD has also been tasked with providing resources, equipment, and training expertise in support of interagency border control and security capacity building efforts.

Afghanistan and Iraq

The Afghanistan and Iraq conflict zones finds the Army and Marine Corps executing training and equipment support programs for both police and national army personnel tasked with border control and security in their respective countries. The principal DoD instruments for border control assistance in Afghanistan and Iraq are the Border Transition Teams (BTTs) consisting of ten Soldiers or Marines embedded with detachments of Afghan Border Police or Iraqi Border Patrol units. Under the command of the Combined Security Transition Command–Afghanistan (CSTC-A), or the Multi-National Security Transition Command–Iraq (MNSTC-I), the teams mentor, advise, and train their counterparts in both border control and border security techniques. Before deploying, these teams undergo three months of individual and collective training in the United States. In addition to security training such as patrolling, convoy procedures and live fire exercises, they also receive instruction from CBP personnel on border control technical skills. Upon arrival in-country they receive additional training focused on language, cultural, tactical, and equipment operations.

Along the Syrian border the transition teams, in partnership with U.S. CBP officials, help train Iraqi Border Patrol units and Iraqi port of entry soldiers. To address the "between ports of entry" problems, the BTTs advise and assist both the Iraqi Border Patrol and Afghan Border Police in improving the physical security of their border areas and maximizing resources for border patrolling. Along the Afghan-Pakistan border this is still a work in progress.

COCOM Capacity Building Support

The potential political instability that will always be associated with porous borders makes them a security concern for any nation. In the Horn of Africa, Kenya, Ethiopia, and Djibouti share a border with Somalia—a country, for all intents and purposes, without a government. The nonexistence of Somali border control has placed a burden on its neighbors that has overwhelmed the civilian border regulators. Although the Kenyan Army sees as their primary role the traditional safeguarding of the Nation's borders against aggression, the insecurity arising from the situation in Somalia has forced them to assist the Kenya police in stemming the flow of illegal migration and illegal arms. Other national armies and defense forces, in every combatant commands' area of responsibility, have had to make similar adjustments to their traditional roles. Lebanon, Botswana, Belize, and the nations within South East Asia, the Arabian Peninsula, and Central Asia are all wrestling with border management issues.

6. Stephen R. Viña, "Border Security and Military Support: Legal Authorizations and Restrictions," *CRS Report for Congress*, May 23, 2006.

7. Roger Rufe, "Border Violence: An Examination of DHS Strategies and Resources," Testimony before the House of Representatives Committee on Homeland Security, Subcommittee on Border, Maritime and Global Counterterrorism, March 12, 2009. http://www.dhs.gov/ynews/testimony/testimony_1236961963205.shtm (Accessed October 5, 2009).

To assist in addressing these challenges the COCOMs develop Theater Security Cooperation Plans that support the DoS's efforts in individual countries to strengthen border controls. Based on identified needs, the COCOMs employ mobile training teams and traveling contact teams to provide training and instruction. Through these efforts national militaries learn how to employ their air, ground, and maritime assets to provide surveillance, intelligence, and security assistance to the national border patrol and customs organizations.

CAPACITY BUILDING FOR THE LONG TERM

At the MPI Roundtable, participants expressed major concern over the apparent transient nature of the impact of IBM capacity building efforts. Currently the developed countries and international organizations provide training and equipment to the border management entities of various developing and post-conflict nations, only to discover that these border management personnel return to their less effective pre-training processes in a relatively short space of time. In addressing this problem the U.S./NATO professional military education (PME) model may offer a solution.

Assisting developing countries' professional military forces in meeting 21st Century challenges is not accomplished by only training the current leadership. To institutionalize change, it must be introduced at all levels of the officer corps; and where possible, in the noncommissioned officer corps, as well. In addition to "snapshot in time" training and education efforts, both NATO and the U.S. have introduced these types of efforts to integrate junior military officers and noncommissioned officers into existing and newly established professional military education programs. These initiatives are meant to ensure that transformational concepts were not only inculcated into the current military leadership, but also into the next generation of leaders, as well.

This model should not be constrained to the military. Capacity building must include a long term professional development program that pairs current events addressing immediate problems with the commitment to professionalize a nation's border force from the ground up.

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